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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:

ERICKSEN, ARBUTHNOT, KILDUFF, DAY
& LINDSTROM, INC.,

Debtor.

Tax I.D. No. 94-2271850

Case No.: 23-40134-WJL

Chapter 11 Case

**SECOND QUARTERLY POST-
CONFIRMATION STATUS REPORT**

Ericksen, Arbuthnot, Kilduff, Day & Lindstrom, Inc. (the "Liquidating Debtor"), hereby submits this second quarterly post-confirmation status report (the "Status Report") in accordance with paragraph 5(e) of the Order Confirming Plan (the "Confirmation Order") (Doc. No. 167).¹

¹ Capitalized terms not otherwise defined herein have the meaning ascribed to them in the Plan of Reorganization for Small Business Under Chapter 11 (the "**Plan**") (Doc. No. 107).

1 On February 3, 2023, the Debtor commenced with this Court a voluntary petition for relief
2 under Chapter 11, Subchapter V of the Bankruptcy Code. On June 23, 2023, the Court entered the
3 Confirmation Order. On July 10, 2023, the effective date of the Plan occurred (the "Effective Date")
4 (Doc. No. 175). On October 9, 2023, the Liquidating Debtor filed its First Quarterly Post-
5 Confirmation Status Report (Doc. No. 205) ("First Report"). Pursuant to paragraph 5(e) of the
6 Confirmation Order, the Liquidating Debtor provides the following report:

7 1. Since the First Report, the Liquidating Debtor has (i) continued efforts to collect on
8 outstanding accounts receivable, (ii) continued to perform an ongoing analysis of claims against
9 the Debtor in order to identify objectionable claims and obtained an extension of the deadline for
10 the Liquidating Debtor to file objections to claims to January 21, 2024 (Doc. No. 215), (iii) filed
11 an adversary proceeding objecting to certain claims of former shareholders pursuant to 11 U.S.C.
12 § 510(b) which is currently set for a scheduling conference on January 31, 2024 at 10:30 a.m. PST;
13 (iv) continued actions related to winding down the Debtor's business, and (iv) continued its ongoing
14 investigation into the Causes of Action owned by the Liquidating Debtor, including the allegations
15 raised in the *Objection to Confirmation of Debtor's Plan of Reorganization dated May 4, 2023* filed
16 by David Frankenberger (Doc. No. 157).

17 2. As of the filing of this Status Report, the Liquidating Debtor has not decided to
18 abandon any Cause of Action.

19 Dated: January 8, 2024

Respectfully submitted,

BAKER & HOSTETLER LLP

21 By: /s/ Andrew V. Layden
22 Andrew V. Layden

23 *Attorneys for Debtor*
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COURT SERVICE LIST

None